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## **Pi Kappa Phi Fraternity**

### **Case Creation Date:**

- March 3, 2025

### **Incident Summary:**

- *On Monday, March 4, 2025, the University received reports alleging hazing activities within the Pi Kappa Phi fraternity. The investigation revealed evidence of calisthenics, the use of alcohol/drugs with/between new members, line-ups, intimidation, and the existence of a "task" list for new members. Additionally, it was discovered that Pi Kappa Phi had been permitting members of the suspended Alpha Tau Omega chapter to participate in activities within and become members of Pi Kappa Phi.*

### **Student Organization Code of Conduct Violations:**

- (8) Failure to Comply
  - (C) Failure to follow all policies and procedures established by the University pertaining to student organizations, including fraternities and sororities, as outlined in the Student Organizations Handbook.
- (14) Hazing
  - Hazing in every form, or conspiracy to haze is prohibited. San José State University takes a zero tolerance approach to hazing. Commission of hazing can be considered either a misdemeanor or a felony, punishable by up to one year in jail and up to a \$5000 fine. Participation in a hazing practice may result in both individual and organizational disciplinary action. Hazing is defined in Section 41301 of Title 5 of the California Code of Regulations as "any method of initiation or pre-initiation into a student organization or student body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily danger to any former, current, or prospective student of any school, community college, college, university or other educational institution in this state (Penal Code 245.6) and in addition, any act likely to cause physical or mental harm, to any former, current, or prospective student of any school, community college, college, university, or other educational institution; the term 'hazing' does not include customary athletic events or school sanction events. Neither the express or implied consent of a victim of hazing, nor the lack of active

participation in a particular hazing incident is a defense. Apathy or acquiescence in the presence of hazing is not a neutral act, and is also a violation of this section."The following non-exhaustive list of activities meet this criterion,; accordingly, they are considered forms of hazing:

- (A) Physical activities such as calisthenics, jogging, sit-ups, pushups, or carrying of objects such as bricks, stones, blocks, or any other item(s) which serve to create physical hardships, discomfort, and/or distress.
  - (H)Intense interrogation of pledges; name calling or screaming at individuals and/or prolonged periods of enforced silence or use of gags,
  - (K) Peer pressure to engage in activities against the individual's will,
- (17) Pledging and New Member Intake
    - Student organizations that are not in compliance with pledging/new-member education requirements as outlined in their local and national constitutions and/or by-laws.

#### **Sanctions:**

- **Organization Disciplinary Probation extended to May 31, 2026.** Disciplinary probation is a period of time in which the privileges of continuing as an RSO are conditioned upon future behavior. Possible consequences for violating university expectations while on Organization Disciplinary Probation may include, but be limited to, the loss of specified privileges to which an RSO would otherwise be afforded, and/or the probability of more severe disciplinary sanction if the organization is found to have violated the Student Organization Code of Conduct or any University policy during the probationary period. Any Conduct-related sanctions related to a violation of Organization Disciplinary Probation shall be determined by the Director of Student Conduct and Ethical Development, or the person's designee, in accordance with University policy governing the student organization Conduct process. Probation is entered on the Student Involvement website (i.e., "Recognized Student Organization (RSO) Conduct"), with beginning and end dates.
- **Continuation of the Cease and Desist Order until the end of the Student Conduct appeal process or until accepting of the proposed sanctions.** A Cease and Desist Order stipulates that the organization is restricted from conducting and/or participating in organized or community activities. This includes, but is not limited to, participating in or hosting social events, philanthropy, fundraisers, service activities, and/or meetings of any kind. While active, a Cease and Desist Order requires that any organization-related communication involving active members and pledges/new members must be limited to the distribution and clarification of conduct-related sanctions. Communication includes, but is not limited to, in-person meetings, email, SMS messages, and social media. A violation of a cease and desist directive may lead to more severe university sanctions that could, among other sanctions, include the organization's permanent withdrawal of recognition from the institution.

- **Meeting with the Director of Student Involvement, or the person's designee, throughout the Fall and Spring academic terms until the end of the Probation Period.** The president of the organization is required to attend a monthly check-in meeting with the Director of Student Involvement, or the person's designee. The president of the organization is responsible for scheduling those meetings. Other members of the organization may be invited to attend at the request of Student Involvement or by the suggestion of the president of the organization.
- **Restriction of Social Privileges until Completion of the Sanctions listed below.** Complete Restriction until completion of the Risk Management Plan and the SJSU Workshops Sanctions detailed below. During this time, the student organization may not sponsor or cosponsor any social event (defined as any activity, party, or function that is social and is open to non-members). Brotherhood Events are allowed. (Defined as event that are limited to members of Pi Kappa Phi, including activities, alumni, and new members.) Unofficially recognized gatherings of individuals may also be considered organizational events according to the reasonable person standard. Partial Restriction for the remainder of Spring 2025 semester after the completion of the sanctions listed below No more than four (4) approved social events in Spring 2025. Restriction of Social Privileges is entered on the Student Involvement website (i.e., "Recognized Student Organization (RSO) Conduct"), with beginning and end date.)
- **Review and revise the organization's New Member Plan in consultation with Student Involvement before the start of the next recruitment cycle and/or before engaging with any current new members.** First, members of the organization must work on an updated and revised new member plan in consultation with the Director of Student Involvement, or the person's designee, on an updated and revised new member plan. Then, the revised new member plan must be submitted to (and approved by) the Director of Student Conduct and Director of Student Involvement, or their designees. Until the revised plan is submitted and approved, the organization shall not be permitted to begin any new member activities (e.g., canvassing, tabling, recruitment, hosting activities, training pledges, new member plans, etc.)
- **New Member Education will be held on campus until the end of the Probation Period.**
- **Complete Bystander Intervention Training with an online module (facilitated by Pi Kappa Phi) and in person debrief (facilitated by Student Conduct & Ethical Development/Student Involvement).** To facilitate improved knowledge and understanding, organization members are required to complete an education endorsed by Pi Kappa Phi International Headquarters, the Office of Student Involvement and the Office of Student Conduct and Ethical Development. 90% of the chapter is required to participate in the online module. At least 80% of members are required to attend and participate in this workshop to debrief the online curriculum. Chapter Leadership is responsible for working with Student Involvement to schedule this workshop.
- **Complete all sanctions from Pi Kappa Phi International Headquarters by the**

**completion date.** Work with Student Involvement to ensure compliance and completion of the Chapter Probation Terms assigned by Pi Kappa Phi International Headquarters. Chapter Leadership is responsible for ensuring that Student Involvement and Student Conduct have a copy of all sanctioning documents sent by Pi Kappa Phi International Headquarters and for keeping them updated about your progress in completing them. Pi Kappa Phi International Headquarters will notify Student Conduct and Ethical Development when the sanction is complete.